

COASTAL CONSERVANCY

Staff Recommendation

May 29, 2014

BAY AREA RIDGE TRAIL: SIERRA VISTA PARKING & TRAIL CONSTRUCTION

File No. 06-043-03

Project Manager: Jeff Melby

RECOMMENDED ACTION: Authorization to disburse up to \$107,000 to the Santa Clara County Open Space Authority to construct a staging/parking area and connecting trail for the San Francisco Bay Area Ridge Trail at the Sierra Vista Open Space Preserve in Santa Clara County.

LOCATION: Northeast of the City of San Jose, in unincorporated Santa Clara County

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: [Project Location and Site Maps](#)

Exhibit 2: [Photographs](#)

Exhibit 3: [CEQA Documents](#): Initial Checklist; Public Comments; Mitigated Negative Declaration; Mitigation and Monitoring Plan, February 13, 2014 Meeting Minutes

Exhibit 4: [Letters of Support](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed one hundred seven thousand dollars (\$107,000) to the Santa Clara County Open Space Authority (Open Space Authority) to construct a staging/parking area and connecting trail for the San Francisco Bay Area Ridge Trail in the Sierra Vista Open Space Preserve of Santa Clara County, subject to the following conditions:

- A. Prior to the disbursement of Conservancy funds, the Open Space Authority shall:
 - 1. Submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that the Open Space Authority has obtained all necessary permits and approvals to construct the project.

- b. A signing plan acknowledging Conservancy participation and identifying the staging/parking area and trail as part of the San Francisco Bay Area Ridge Trail system, as applicable.
 - c. A final work plan (including the names of any contractors to be used in the completion of the project), project schedule and budget.
2. Enter into an agreement with the Conservancy sufficient to protect the public interest in the improvements and to provide public access to the project.
- B. The Open Space Authority shall implement or cause to be implemented its Mitigation Monitoring Program, adopted on February 13, 2014, and attached to the accompanying staff recommendation as part of Exhibit 3.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

- 1. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
- 2. The proposed project is consistent with the authority of the Conservancy under Public Resources Code Sections 31160-31165 regarding projects of the San Francisco Bay Area Conservancy Program.
- 3. The Conservancy has independently reviewed the Open Space Authority’s *Sierra Vista Open Space Preserve Proposed Vehicle/Equestrian Staging Areas and Multi-Use Trail Project Mitigated Negative Declaration* and accompanying documents, adopted on February 13, 2014 (Exhibit 3 to the staff recommendation), and finds that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by the CEQA Guidelines, 14 Cal. Code Regs §15382.”

PROJECT SUMMARY: Staff recommends that the Conservancy authorize a grant of up to \$107,000 to the Open Space Authority to construct a staging/parking area and connecting trail for a portion of the San Francisco Bay Area Ridge Trail (Ridge Trail) in the Sierra Vista Open Space Preserve (Preserve), located approximately 7 miles northeast of downtown San Jose (City) (Exhibit 1). The project area is strategically located between Ed Levin County Park, approximately 5 miles to the north (Exhibit 1, page 2, upper left corner) and Joseph D. Grant County Park, approximately 5 miles to the south (Exhibit 1, page 2, lower right corner). It would be one of only a few trailheads within Santa Clara County that access the Ridge Trail on the ridgeline (Exhibit 2). Currently, parking to access the Ridge Trail within the Preserve is available only in the bottom of Penitencia Creek canyon, within the City’s Alum Rock Regional Park, over two miles away and 1,200 feet lower in elevation. The proposed staging area location is well-suited to provide a rare vista point and trailhead, which will become increasingly important to an aging local population of park visitors who may no longer be able to access all the trails they once could, but still enjoy outdoor experiences and ridge top vistas. A secure, patrolled parking area will enable legal parking for the first time on the very scenic Sierra Road at a highly desirable location. It will also be helpful to equestrians as the existing parking access in Alum

Rock Park has limited staging area space for equestrians on weekends, when that parking area typically is very heavily used.

The proposed parking area would include 21 parking spaces for standard vehicles and two for vehicles with single-horse trailers on the south side of the summit of Sierra Road. The surface of the new parking area would be asphalt for the standard vehicle portion (as was recommended by the engineer for durability and reduced maintenance) and an aggregate base for the equestrian area.

A new 0.3-mile segment of Ridge Trail would be built extending south from the staging area to the existing Ridge Trail/Sierra Vista Trail. The singletrack, natural surface, multi-use trail would provide a route from the staging area southwest to the Boccardo Ridge Trail, down to and along Penitencia Creek, within and downstream of Alum Rock Park. (See Exhibit 1, page 3).

Although not part of the scope of this project, the Open Space Authority will also construct a 1-mile, multi-use loop trail north of the staging area, across Sierra Road (Exhibit 1, page 3). The loop trail would provide an opportunity for people to enjoy hiking a shorter, less challenging loop than would otherwise be available within the existing trail network. Also, in the future, the Open Space Authority may construct a staging area on the north side of Sierra Road if additional capacity is needed based on usage of the staging area to be constructed on the south side of the road.

Site Description: The Open Space Authority's Sierra Vista Open Space Preserve (Preserve) is comprised of the former Kirk, Furtado, Vilas, and Frankel properties in the eastern foothills of northern Santa Clara County. It lies between Ed Levin County Park to the north and Joseph D. Grant County Park to the south. (See Exhibit 1, page 2). The heavily-used Alum Rock Park lies directly west and below the Preserve. This beautiful and scenic Preserve is comprised of 1,676 acres of majestic oak woodlands, rolling grasslands and chaparral communities. Typical of the Diablo Range, the area is hot and dry in late spring and summer, and cool and moist in late fall and winter. The Preserve provides vital watershed protection for Penitencia Creek and is home to a number of protected wildlife species such as the red-legged frog, tiger salamander, golden eagle, mountain lion, bobcat, and grey fox. Cattle grazing with the gentle and beautiful Corriente cattle breed are part of a plan to reduce invasive plants and restore native species.

The Preserve is frequented by over 13,000 trail users annually. The trail system totals about 10 miles and is part of the Bay Area Ridge Trail, a 550-mile regional multi-use trail system planned along the ridge lines that encircle the San Francisco Bay. The Ridge Trail's location along a western ridgeline of the Diablo Range provides spectacular views of San Francisco Bay, Santa Clara Valley, and the coast interior range. Currently, the Preserve is only accessible through Alum Rock Park.

The project site, owned by the Authority, is currently zoned as Public Park Open Space. Current surrounding land uses include public parkland, private open space, cattle grazing and rural residential.

Project History: The vision for the Ridge Trail is a 550-mile trail that rings San Francisco Bay high on the ridgeline and serves hikers, mountain bicyclists and equestrians. Under the leadership of the Conservancy and the Bay Area Ridge Trail Council (BARTC), and supported

by a diverse group of project participants, the Ridge Trail creates an interconnected system of open space and trails that provides recreational opportunities and scenic views to the public. Begun 25 years ago, over 340 miles of trail are now dedicated and open to the public in all nine Bay Area counties. This authorization will further the Conservancy's statutory and strategic goal of improving access around San Francisco Bay and is consistent with previous Conservancy authorizations to negotiate and acquire trail easements, prepare trail construction plans and designs, and construct and open trail segments to the public. The proposed project will continue to build connections between existing trail segments and help complete the more than 550-mile trail by connecting the Diablo Range to the Santa Cruz Mountain range via the Santa Clara Valley.

The development of the Preserve has been an on-going collaborative project between the Open Space Authority, the Conservancy and the BARTC. In January of 2000, the Conservancy Board authorized \$500,000 in funds to the Open Space Authority to complete the acquisition of the Kirk Property. The Conservancy, in October of 2002, authorized \$100,000 to the Open Space Authority to acquire the nearby Aoki Property. The Furtado and Vilas properties were acquired by the Open Space Authority in 2001 and 2003, respectively, and the Frankel easement was acquired by the Open Space Authority in 2005. The first Ridge Trail segment on these Open Space Authority lands was dedicated in May of 2002.

In June of 2006, the Conservancy authorized disbursement of \$50,000 to the Open Space Authority to plan a segment of the Ridge Trail linking the Kirk, Furtado, and Vilas properties, to the north, and a staging area on Sierra Road to provide access to the trail. In June of 2011, the Conservancy Board authorized disbursement of \$68,150 to the Open Space Authority to implement the trail construction element of this plan as a major step in closing the Ridge Trail gap between Alum Rock Park and Joseph D. Grant County Park to the south. The 2006 proposed staging area on Sierra Road was put on hold due to a traffic study which recommended widening portions of Sierra Road. The road widening recommendations ultimately proved to be cost-prohibitive.

With results from the previous project, the Open Space Authority conducted a traffic study under the California Environmental Quality Act (CEQA). The Initial Study indicates that vehicular, bicycle and pedestrian traffic generated for the proposed project is not expected to substantially affect the traffic operations of the surrounding roadway system. The study recommends that smaller improvements be considered to widen Sierra Road just within the project area, providing an 18-foot wide roadway with a center stripe that would be consistent with the two-lane section of Sierra Road west of the project site. Appropriate signage is also incorporated as recommended in the traffic study.

In October 2011, BARTC, the Conservancy and the Open Space Authority (along with 250 other trail enthusiasts) celebrated completion of 6 miles of new Ridge Trail at Sierra Vista, extending from the existing trail in the western portion to almost the southern boundary of the Preserve. Since the opening, thousands of people have visited the Preserve; the future staging area will facilitate Preserve access for less-active people, and provide a stunning new vista point for all.

PROJECT FINANCING:

Coastal Conservancy	\$107,000
Santa Clara County Open Space Authority	<u>278,000</u>
Total Project Cost	\$385,000

The anticipated source of Conservancy funds for this grant is the fiscal year 2009/10 appropriation to the Conservancy from the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84). Proposition 84 funds may be used for promoting access to and enjoyment of the urban open space resources in the nine-county San Francisco Bay Area in accordance with the provisions of the Conservancy’s enabling legislation. (See Public Res. Code §§ 75060, 75074). This authorization will provide and enhance public access to Open Space lands within Santa Clara County. Consistent with Proposition 84, the proposed project will be undertaken pursuant to the San Francisco Bay Area Conservancy Program (Chapter 4.5 of Division 21 of the Public Resources Code), as described below.

Chapter 4.5 of Division 21 provides that the San Francisco Bay Conservancy Program give priority to projects with matching funds. (Pub. Res. Code § 31163(c)). The Open Space Authority has committed to providing seventy-two percent of the total cost of the project. The Open Space Authority staff will also provide matching labor totaling \$6,216 in addition to the \$278,000 cash contribution.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

This proposed project is consistent with the Conservancy’s San Francisco Bay Area Conservancy Program enabling legislation codified at Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160 to 31165). That chapter directs the Conservancy to address the resource and recreational goals of the nine bay area counties in a “coordinated, comprehensive, and effective way.” *Id.* § 3160

Pursuant to Section 31162(a) of the Public Resources Code, the Conservancy may award grants that help to improve public access to, within, and around the ridgetops in the San Francisco Bay Area, consistent with the rights of private property owners, and without having a significant adverse impact on agricultural operations and environmentally sensitive areas and wildlife. Consistent with Section 31162(a), the proposed project will help complete the Ridge Trail through the Open Space Authority’s Sierra Vista Open Space Preserve in northeastern Santa Clara County, one of the nine Bay Area counties, without impact to agricultural concerns or sensitive wildlife areas, as discussed in the CEQA section below.

Consistent with Section 31163(a), the Conservancy will cooperate with the Open Space Authority in identifying and adopting long-term resource and outdoor recreational goals for the San Francisco Bay Area. Completion of the Ridge Trail is identified in: (1) *The San Francisco Bay Area Conservancy Program Regional Needs Briefing Book* (Bay Area Open Space Council, July 1999) and (2) *400 Miles and Beyond: A Strategic Plan for Completing the Bay Area Ridge Trail* (BARTC, Draft 2006).

The proposed project satisfies the criteria for determining project priorities under Section 31163(c) in the following respects:

- 1) The project is consistent with approved plans including:
 - a) The Ridge Trail alignment that has been adopted by the BARTC;
 - b) The *Santa Clara County Countywide Trails Master Plan Update*, adopted by the Board of Supervisors in November of 1995, which has identified a trail alignment R5-B, Bay Area Ridge Trail, Diablo Range;
 - c) The City of San Jose's *Greenprint for Parks and Community Facilities and Programs*, Citywide Trail Strategy, C2, adopted by the San Jose City Council in September of 2000, which also supports the proposed routes in the Countywide Trails Master Plan;
 - d) The City of San Jose's 2040 General Plan – Hillside/Rural Preservation Policies and Trail Network Goals and Policies;
 - e) The goals and objectives of the *Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan*, adopted in October 2013; and
 - f) The goals of the Santa Clara County Open Space Authority's 2014 *Santa Clara Valley Greenprint: A guide for protecting open space and livable communities*.
- 2) The Ridge Trail is a multijurisdictional resource and serves a regional constituency;
- 3) The project can be implemented in a timely way as the grantee is prepared to begin work upon project approval;
- 4) Implementation of the project provides an opportunity for benefits that could be lost if the Conservancy did not provide needed funding; and
- 5) The project includes significant matching contributions from the Open Space Authority thus effectively utilizing existing Conservancy funds to open the area to additional public access.

**CONSISTENCY WITH CONSERVANCY'S 2013
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 12, Objective B** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will construct recreational facilities including a staging area.

Consistent with **Goal 12, Objective G**, the proposed project will construct 0.3 mile of the Bay Area Ridge Trail.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** There is significant local support for the project from trail users and members of the local community. Strong support for access to trails within the lands controlled by the Open Space Authority comes from hikers, equestrians, and mountain cyclists, including the Silicon Valley Mountain Bikers, an organization promoting mountain bike recreation and establishing sustainable trail access in Santa Clara and San Mateo Counties. Members have expressed great enthusiasm for multi-use trails providing access to open space and ridgelines, as well as enthusiasm for completing more segments of the Ridge Trail. Assemblymember Bob Wieckowski and Former Assemblymember Luis Alejo, who previously represented a district which included the project site location, support the Project and applaud the Open Space Authority's continued efforts to preserve land and create staging areas and trails for residents to use for recreational activity. See Exhibit 4.
4. **Location:** The proposed project is in Santa Clara County, within the jurisdiction of the San Francisco Bay Area Conservancy Program.
5. **Need:** Conservancy funding is needed to enable the Open Space Authority to implement this trail construction project. The Authority has a limited budget and additional funding from the Conservancy bridges a significant financial gap in order to complete this project. No other source of funding is currently available to complete the project.
6. **Greater-than-local interest:** The Ridge Trail is truly a regional attraction. The 550-mile trail network offers spectacular views of the Bay Area and links many parklands and open space preserves. In addition, the Ridge Trail will be tied to the San Francisco Bay Trail and the California Coastal Trail systems, creating an extensive trail network. Completion of the Ridge Trail is one of the goals identified in the Bay Area Open Space Council's *Regional Needs Briefing Book*.
7. **Sea level rise vulnerability:** The project is not located in an area vulnerable to future sea level rise, lying between 1,000 and 2,500 feet in elevation.

Additional Criteria

8. **Leverage:** See the "Project Financing" section above.
9. **Readiness:** If approved by the Conservancy, the Open Space Authority anticipates starting construction in June of 2014.
10. **Realization of prior Conservancy goals:** See "Project History" above.
11. **Cooperation:** The San Francisco Bay Area Program of the State Coastal Conservancy has been working cooperatively with BARTC to administer a selective grant program to identify projects that help implement the Ridge Trail. The highest priority proposals from that grant program are recommended for funding by the Conservancy.

12. **Vulnerability from climate change impacts other than sea level rise:** The proposed project is not expected to be affected by potential climate change impacts such as fire or drought. Additional precipitation due to climate change could impact the staging area and trail, so extra care will be taken to ensure that the tread and drainage structures will withstand significant rainfall. The Open Space Authority staff will conduct regular surveys of the staging area and trail conditions and additional maintenance will be scheduled as needed.
13. **Minimization of greenhouse gas emissions:** For singletrack trail segments, trail width will be kept to the minimum feasible in order to reduce the amount of time power equipment will be operated. Wherever practical, existing (unpaved) service roads will be used as trail alignment; upgrading existing roadbeds would require significantly less equipment time than excavating new routes. Much of the vegetation management will be accomplished by use of hand tools rather than power equipment. The project site is densely vegetated, including expansive woodlands and grasslands, providing significant carbon sequestration potential. Care will be taken during the design and construction phases to align the trail to minimize vegetation removal. The grantee will also employ Bay Area Air Quality Management District best management practices to minimize greenhouse gas emissions during construction.¹

COMPLIANCE WITH CEQA:

Pursuant to the California Environmental Quality Act (CEQA), the Open Space Authority, as lead agency, prepared the Initial Study and Mitigated Negative Declaration (MND), which were noticed and circulated for public review on December 23, 2013. The comment period ended on January 22, 2014. The Open Space Authority's Board of Directors approved the project and adopted the MND including a Mitigation Monitoring Program (MMP) on February 13, 2014. (Exhibit 3) On February 14, 2014, the Open Space Authority filed a Notice of Determination with the County Clerk of Santa Clara County.

CEQA requires consideration of potential environmental effects of agency actions and approvals, unless exempt. Staff has reviewed the MND and the associated public comment, and the incorporated MMP for the project. The Initial Study and MND identified potentially significant impacts in the areas of air quality, biological resources and cultural resources; however, mitigation measures have been incorporated into the project to assure that these potential impacts were eliminated or reduced to *less than significant levels*, as summarized below:

With respect to air quality, the potential to violate an air quality standard or contribute substantially to an existing or projected air quality violation was identified. However, the project will not have a significant adverse environmental effect because project implementation avoids short-term adverse impacts through mitigation measures such as minimizing construction equipment idling times, covering haul trucks transporting soil, watering exposed surfaces (e.g., soil piles), and using alternative-fueled construction vehicles/equipment for at least 15% of the fleet.

Concerning biological resources, potential impacts caused either directly or through habitat modification were identified. The Open Space Authority's contribution to the Santa Clara Valley

¹[Bay Area Air Quality Management District, California Environmental Quality Act Air Quality Guidelines \(May 2011\).](#)

Habitat Plan (VHP) will reduce impacts on individual California tiger salamanders to a less-than-significant level. The Authority will pay an impact fee to the VHP to offset impacts on habitat through the creation or restoration of equivalent habitat on a regional basis. In the unlikely event that permits for the VHP are not issued by the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW), the Open Space Authority will employ mitigation measures including: an on-site construction crew education program designed to train construction workers how best to avoid the accidental take of California tiger salamanders; monitoring and relocation of any California tiger salamanders and burrowing owls found in the construction area; and implementation of water quality BMPs to protect water quality in the seasonal pond immediately adjacent to the northern portion of the trail alignment. If it is not feasible to schedule vegetation removal during the golden eagle nonbreeding season, mitigation measures will be implemented, such as a pre-construction survey for nesting eagles and establishment of a buffer zone free from disturbances. Detail as to this and other mitigation measures are identified in the MMP and discussed in the MND.

Potential impacts to cultural resources will be mitigated by alerting construction personnel to the possibility of buried cultural remains, and if such remains are found, stopping work and contacting the County Coroner.

Two comments were received on the proposed MND during the public comment review period and these letters are included in Exhibit 3. The letter from the Department of Parks and Recreation's Office of Historic Preservation expressed concern regarding the adequacy of archaeological and cultural resources investigations and recommended consultation with the Native American Heritage Commission. The other letter was from a citizen who lives relatively near the Preserve, who expressed concern about the potential for accidents involving horses or bikes on Alum Rock Falls Road. These letters and the responses are included in Exhibit 3. The Open Space Authority addressed these concerns by clarifying information in the MND and supporting traffic study, including the mitigation measures which address these concerns. (See Exhibit 3, pp. 39, 41). There was no need to revise the MND in response to these comments.

Detail about all the mitigation measures incorporated into the design of the project can be found in the MMP which is a part of the MND, Exhibit 3. With the incorporated MMP, staff concurs that the potentially significant effects of project activities have been reduced to a less than significant level and that the project activities will not have a significant adverse effect on the environment. Staff therefore recommends that the Conservancy find that the project, as mitigated, avoids, reduces or mitigates the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by the CEQA Guidelines, 14 Cal. Code Regs §15382.² Upon approval, staff will file a Notice of Determination for the project.

² Section 15382 reads in part "'Significant effect on the environment' means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance."